

REMARKS

The second paragraph of the current Office Action indicates that claims 24-36 have been cancelled from the application. The Applicant believes this indication is a typographical error that should indicate the cancellation of claims 24-26. Claims 27, 28, 30-32, and 34-36 are pending in the application.

The current Office Action rejects all of the pending claims as being obvious in view of the combination of Weisburn '498 and Eskandry '013. The Applicant respectfully traverses the rejections.

The Office Action cites the cross section views of FIGS. 7-9 of Weisburn as disclosing a page edge having a V-shaped pocket that receives adhesive. The Applicant respectfully submits the page edges of Weisburn do not define the V-shaped pocket recited in pending claim 7. The inner ends of the Weisburn page sidewalls (numeral 94) are angled with the apex of the page facing the outwardly. The Weisburn page edges (68) are flat as shown in FIG. 9. The Weisburn page edge thus does not define a V-shaped pocket that can receive adhesive as recited in claim 7. Claim 7 has been amended to recite that the location of the apex of the V-shaped pocket is directly between the first and second surfaces of the page. Claim 7 thus requires the entire V-shaped pocket to be defined by a single page edge. Further, claim 7 requires adhesive to be used to secure the page to the cover. The Weisburn pages are not configured to be connected in such a manner given the large gap between the flat page edges (68) and the tapered sidewall ends (94) that are configured to cam against one another as shown in FIGS. 7-9. Bonding the Weisburn pages to a cover in the manner recited in the Office Action would destroy the function of the Weisburn hinges (90) and prevent the ends (94) of the sidewalls from camming against one another. One of ordinary skill in the art would thus not be led to make such a change in the Weisburn device in view of the Eskandry teachings. The Office Action concludes that one of ordinary skill in the art would make this change to Weisburn to "reduce costs and processing steps" without any explanation of how these reductions would occur or if the purported changes to Weisburn would even result in such reductions. The Office Action also concludes that it would have been obvious to substitute the Eskandry paperboard

cover for the plastic cover of Weisburn because it is obvious to use equivalent materials for the same intended use. The Applicant respectfully submits that claim 7 recites more than just a substitution of materials. Claim 7 recites the structure of the pages and the manner in which the pages are connected to the cover. Changing the Weisburn cover to a different material does not yield the device of claim 7 because Weisburn does not disclose the other structural limitations of claim 7 as described above. The Applicant thus submits claim 7 and its dependent claims are patentable over the cited references.

Claim 27 defines the relationship of the literature page and the page halves. Claim 27 requires the literature page to be pressed between the page halves. The Weisburn pages define a literature compartment that allows the literature to be slipped into and out of the compartment. The page halves of Weisburn thus do not press the literature between them. Claim 27 is thus patentable over the cited combination. The current Office Action does not explain how the combination of references discloses, teaches, or suggests this limitation in claim 27. The Applicant thus submits claim 27 is patentable over the cited references.

Claim 27 also requires the page of the container to have at least one edge connected to the inner surface of the outer spine with an adhesive to connect the page to the cover. Claim 30 requires a CD or DVD storage container to have a paperboard cover and a page connected to the inner surface of the outer spine with an adhesive to connect the page to the cover. Claim 30 also requires the outer perimeter of the page to be disposed directly between the front cover member and the rear cover member when the front and rear covers are closed on the page. Claim 35 requires a CD or DVD storage container to have a paperboard cover and a page having at least one edge connected to the inner surface of the outer spine with an adhesive to connect the page to the cover. The claim further requires the page to have first and second page halves with the first and second page halves having been separately formed and joined together back-to-back to form the substantially rigid page. Each of the page halves has a disc holding hub adapted to hold a disc-shaped item of recorded media. The Applicant respectfully submits the cited Weisburn reference does not have pages connected to a cover in the manner recited in these claims. Further, the Applicant respectfully traverses the conclusion set forth in the

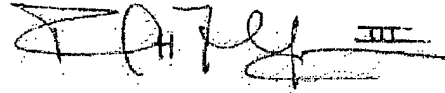
Office Action that the teachings of Eskandry would lead on of ordinary skill in the art at the time of the invention to adhesively bond the pages of Weisburn to the spine.

The Applicant respectfully traverses the conclusion that the combination of the Weisburn pages with the binding technique disclosed in Eskandry renders the claims obvious. One of ordinary skill in the art would not be led by the teaching of Eskandry to modify the Weisburn page connections in the manner recited in the claims. The Weisburn page edges (#68) are inset from the outer surfaces of the Weisburn tabs (ends of sidewalls #94) as shown in FIG. 9 of Weisburn. The Weisburn edges (#68) thus cannot be directly connected to the inner surface of a spine with an adhesive as recited in the claims. The Weisburn pages require the tabs (#94) to provide spaces for the hinges (#90) as shown in FIGS. 9 and 10. The Weisburn page edges (#68) thus cannot be connected a spine. Directly connecting the Weisburn edges (#68) to the spine with adhesive would destroy the function of the Weisburn hinges (#90) and would prevent the Weisburn device from operating in its intended manner. Further, the Weisburn tabs (#94) are designed to cam against each other as shown in FIGS. 7-9 when the Weisburn pages are turned. The Weisburn tabs cannot be connected to the spine without destroying the camming function of the Weisburn tabs. In addition, Eskandry teaches the use of hinges (31, 61, and 63) to connect its pages to the spine. One of ordinary skill in the art would be led by the teachings of Eskandry to connect the Weisburn hinges 90 to the spine. This configuration would destroy the intended function of the Weisburn device. Further, this combination does not result in the claimed configuration wherein the edges of the pages are adhesively connected to the spine. In view of these differences, the Applicant submits the claims are patentable over the cited combination of references.

The Applicant also respectfully submits claim 11 is not a method claim. Claim 11 requires the page halves to be connected with a weld. A weld is a structural element that connects the two page halves. Claim 11 does not recite the step of welding. Claim 11 recites the structure of a weld.

In view of the foregoing, the Applicant respectfully requests reconsideration of the claims and most earnestly solicits the issuance of a formal notice of allowability for the claims.

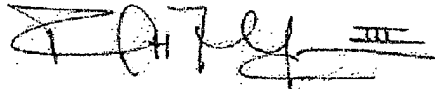
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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence (Amendment I in
application serial no. 09/883,619 filed June 18, 2001) is being transmitted via facsimile
to 1-571-273-8300 on September 30, 2008.



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